

DATE: November 13, 2018  
TO: Training Provider Applicants  
FROM: WorkSource Georgia Mountains  
SUBJECT: Application for Training Provider Agreement

WorkSource Georgia Mountains (WSGM) is accepting applications for Training Provider Agreements under the Workforce Innovation and Opportunity Act (WIOA) for occupational skills training to eligible adult residents in the area. WSGM area covers thirteen counties in North Georgia including: Banks, Dawson, Forsyth, Franklin, Habersham, Hall, Hart, Lumpkin, Rabun, Stephens, Towns, Union and White.

Training Providers submitting program applications to WSGMs should carefully review the Applicant packet which includes:

- WIOA Glossary and General Information
- Instructions for completing the application
- Initial Eligibility for new providers
- Provider/Program responsiveness checklist
- Eligible Training Provider/Program Application
- Individual Training Account Policy

Applications will be accepted for a variety of skills training areas. A list of WSGM in demand occupations is attached as Attachment B. Training in areas not listed may be considered if the institution can demonstrate an employer need for trainees.

WSGM evaluates new training providers/programs on a quarterly basis. All responsive applications will be approved by WSGM Workforce Development Board. Due to the extensive application review, program evaluation and quarterly scheduled WSGM Board meetings, responses to the submitted application may vary depending on the submission date. Recommended providers/programs will be forwarded to the Technical College System of Georgia Office of Workforce Development (TCSG OWD) for acceptance and inclusion on the State Eligible Training Provider/Program List. If the application is accepted by the TCSG OWD, a completed provider agreement may be submitted to the provider for signature.

Completed applications should be mailed or emailed to:

WorkSource Georgia Mountains  
1856 Thompson Bridge Road  
Gainesville, GA 30502

Questions regarding the application may be addressed to WSGM at 770-538-2727.

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## INSTRUCTIONS FOR COMPLETING THE ETP APPLICATION

The WorkSource Georgia Mountains (WSGM) Eligible Training Provider application packet includes: General Information, a Proposal Responsiveness Checklist, an Application, and Assurances. WSGM must review all responsive provider applications. If responsive, staff may conduct employer reference checks, program graduate reference checks, on site reviews and conduct a training observation to ensure that customers receive quality services. WSGM will input recommended providers/program information into the Georgia Work Ready Online Participant Portal (GWROPP) and alert the Technical College System of Georgia Office of Workforce Development (TCSG OWD) that the provider information is ready for review, acceptance and inclusion on the State Eligible Training Provider Listing (ETPL). If the application is accepted by TCSG OWD, a completed provider agreement may be processed and submitted to the provider for signature.

All providers that were not previously approved as an eligible training provider under WIOA (except Registered Apprenticeship programs) must submit required information to be considered for initial eligibility under WIOA. Providers receive initial eligibility for one year for a provider specific program. Apprenticeship programs registered under the National Apprenticeship Act are exempt from initial eligibility procedures.

The application does not include on-the-job training, incumbent worker training, job readiness, life skills training and youth services.

**Training programs included in the application must exist at the time of application and be approved by the NPEC; the program(s) must be currently available to the general public and not solely dedicated/availed to WIOA customers.**

- **To be considered for review, each program must have at least ten (10) students who have completed a program of study and obtained training related employment, with documentation available on their employment status. Newly formed programs should wait to apply until this has occurred. New programs without documented completion and employment records will not be reviewed. (Exception – For currently approved providers, see Requests for additional NEW programs (without performance history)).**
- Respond to all questions. If the question does not apply indicate “not applicable”. When referring to a catalog or brochure, indicate, “See attached catalog”.
- The name of the training institution is the legal name of the entity.
- The contact person is the individual who may answer questions concerning the application.
- Program descriptions should be completed for each program or course of study. If a provider catalog contains the information requested, please attach.
- If the application is submitted via e-mail, it will be necessary to scan, fax or mail a provider certification as well as a catalog of courses of study, or reference website, if available online.

Detailed Eligible Training Provider Policies may be found in Section 4.4 of the Workforce Policies and Procedures Manual at <https://tcsgeu/wp-content/uploads/2018/11/11.08.18-SWDB-Approved-PP.pdf>

## Workforce Innovation and Opportunity Act Glossary and General Information

**Workforce Innovation and Opportunity (WIOA):** WIOA will help job seekers and workers access employment, education, training and support services to succeed in the labor market and match employers with the skilled workers they need to compete in the global economy. The purposes of WIOA include:

- Increasing access to and opportunities for the employment, education, training and support services that individuals need, particularly those with barriers to employment;
- Supporting the alignment of workforce investment, education and economic development systems, in support of a comprehensive, accessible, and high quality workforce system;
- Improving the quality and labor market relevance of workforce investment, education and economic development efforts;
- Promoting improvement in the structure and delivery of services;
- Increasing the prosperity of workers and employers;
- Providing workforce development activities that increase employment, retention and earning of participants and that increase post-secondary credential attainment and as a result, improve the quality of workforce, reduce welfare dependency, increase economic self-sufficiency, meet skill requirements of employers and enhance productivity and competitiveness of the nation.

**WIOA Services:** A customer may access the array of services and program information available on the statewide ETPL and may choose from a variety of Eligible Training Providers. There is no guarantee that a customer will enroll in a specific course or program of study after referral. It is the responsibility of the customer and the career adviser to develop a career plan. A customer may be determined WIOA eligible during WIOA career services. If it appears that the customer is eligible and suitable for provider training, they will be approved for enrollment by WSGM staff. Once approved for enrollment, WSGM staff will provide written authorization to both the customer and the training organization through an Individual Training Account (ITA).

### Glossary

**Career Ladder Training Programs:** WIOA participants may be allowed to take no more than two approved training programs identified under the approved Career Ladder Training Program. They must fully complete the first program before being considered for advancement to the next program. Completion, for the purposes of the Career Ladder Training program, is completion of training, all tests required (per individual training provider curriculum), and receipt of credential(s) as described below in Credentialing. Also, participants are not required to continue training with the same training provider after completion of the first program. They may elect to continue the additional training at another approved provider. All training programs must be completed within the ITA policy (Attachment B) limits.

**Career Services:** Career services may include initial assessment of skill levels, job search and placement assistance, provision of information on in-demand sectors and occupations, information on nontraditional employment, labor market information, provision of information about the performance and cost of education and training providers in the area, career counseling, information about filing unemployment compensation claims, information relating to the availability of supportive services such as child care and transportation, specialized assessments of individual skill levels and service needs, individual or group counseling and career planning, development of an individual employment plan, short-term job-readiness activities, literacy activities related to basic workforce readiness, etc.

**Continued Eligibility:** WIOA requires a re-determination of ITA program eligibility through a “continuing eligibility” process. For a program to remain eligible to receive ITA funds for new enrollments, the State shall compare program-level performance outcomes against established minimum standards, covering the preceding program year. The State reserves the right to request sufficient information to complete continuing eligibility on any provider. For additional information,

See Attachment E. State Policies and Procedures Manual excerpts. Newly eligible WIOA training providers that were determined to be initially eligible under WIOA will be subject to the application procedure for continued eligibility after their initial year of eligibility expires.

**Coordination of Funds:** The Provider understands that funds provided under this Agreement may only be used to pay for services **not** covered by other types of financial aid. The Provider also agrees to provide GMRC with written information identifying the type and amount of other financial aid received by each customer that receives services under WIOA.

**Credentialing: WIOA performance standards include the attainment of recognized post-secondary credential received by participants.** It is the Provider's responsibility to assure that Credentialing goals are obtained for each student. All training programs must prepare WIOA participants through job training and preparation to sit for testing in order to achieve attainment of industry-recognized credentials as specified by WIOA. Such nationally recognized industry, association or organizations include:

- A state education body
- An institution of higher education eligible to participate in federal financial aid programs
- A registered apprenticeship
- A public regulatory agency
- A professional, industry or employer association

**Customer Referral, Advertisement, and Recruitment:** The Provider understands and agrees that only customers referred by GMRC/GMWDB, WSGM, or its authorized representatives, may be enrolled into approved training under this agreement. The Provider may include statements about WIOA training in its advertisements or recruitment efforts; however, any such advertisement must include a disclaimer stating that WIOA funded training may be provided only to individuals who qualify for the program and only if funds are available. Such advertising must be forwarded to GMRC/GMWDB for approval prior to release. The Provider may not enroll any customer into training without the proper referral by GMRC/GMWDB or its authorized representative. The Provider also understands that potential customers, who are recruited or referred to GMRC/GMWDB or its authorized representative for eligibility, may select other training.

**Eligible Training Provider:** An organization, entity, or institution, such as a public or private college and university, community-based organization, or proprietary school whose application has been approved by the local workforce Board and submitted to the state for inclusion on the state ETPL to provide training services through the use of an ITA or training provided (WIOA exception) through a contract for services. Reference 20 CFR.680.410

**Eligible Training Provider List:** A statewide compilation of providers that are approved to provide services through the One-Stop system described by WIOA. These lists contain consumer information, including cost and performance information for each provider, so that customers may make informed choices.

**Eligible Training Provider Appeals:** Procedures outlined in Attachment E. State Policy and Procedures Excerpts are designed to provide guidelines for filing and resolving Appeals made by an ETP or a prospective ETP. In the event that an ETP seeks to file an Appeal, it must do with the entity whose action the ETP disputes. For example, in the event that an ETP is removed from a Local ETPL, the ETP must file an Appeal with the LWDA in accordance with LWDA's policies. Once an ETP has filed an Appeal with a LWDA, received a written resolution, and is dissatisfied with the LWDA's resolution, the ETP may file second level appeal with the State. Conversely, in the event that an entity is denied designation on the State ETPL, or if the ETP or is removed from the State ETPL, the ETP may file an Appeal directly with TSCG OWD.

**Individual Training Account:** A training plan obligation and expenditure account established on behalf of a WIOA eligible participant to establish a plan for payment for a program of training services, which may include tuition, books and fees. The ITA Voucher will include the amount of funds approved and provide instructions for invoices or payment requests. If a customer is attending training for more than one quarter or semester, an ITA voucher is required for each subsequent quarter/semester. **WSGM will not accept responsibility for the costs for any customer who begins training with a**

provider without an ITA Voucher or for any costs incurred for training prior to WIOA approval and registration.

**Initial Eligibility for New Providers:** All providers that were not previously approved as an eligible training provider under WIA (except Registered Apprenticeship programs) must submit required information to be considered for initial eligibility under WIOA. Under WIOA, providers may receive initial eligibility for only one year for a provider specific program. For potential ETP’s seeking initial eligibility, verifiable program specific performance information must be provided.

Applicants must provide the following:

1. A detailed description of each training program to be considered
2. Performance information for each training program will include (See Required Performance Information below)
  - a. Median earnings
  - b. Average wage at placement
  - c. Attainment of Post-secondary Credential
  - d. Completion rate
  - e. Employment rate
  - f. Training related employment rate
3. Describe in detail provider partnerships with business
4. Describe the recognized post-secondary credential attained after training completion
5. Describe how the training program(s) aligns with in demand industries and occupations
6. A provider must also comply with the following to be considered for inclusion on the ETPL:
  - a. In business for at least 6 months prior to the initial application and have a current business license or proof of active compliance with the Secretary of State Corporations Division.
  - b. Training must be available to the general public, have published catalog price structures and each program must have completed and placed in training related employment at least 10 students per program. Training facilities must comply with ADA requirements for accessibility and reasonable accommodation.
  - c. Current of all federal and state taxes (Must supply certification from accounting/tax firm of current tax standing regarding federal and state taxes, including Unemployment Insurance taxes).
  - d. In statutory compliance with the laws of the state related to the operation as a training or education institution. Proprietary colleges or schools operating in Georgia are required by the Nonpublic Post-Secondary Educational Institution Act of 1990 to have a certificate of authorization from the NPEC before beginning operation or advertising in the state.
  - e. Provide documentation of current accreditation/authorization.
  - f. Not be found in fault in criminal, civil or administrative proceeding related to its performance as a training or educational institution. Must disclose any pending criminal, civil or administrative proceeding as either a defendant or a respondent.
  - g. Disclose any and all conflicts of interest with state or local WSGM staff or Board members, including but not limited to family ties (spouse, child, parent), fiduciary roles, employment or ownerships interests in common.
  - h. Include a current federal tax identification number.
  - i. Be in good standing with the Better Business Bureau and have no outstanding complaints.
7. **Each LWDB may set minimum standards applicable to their local areas. Federal Performance Standards for the State and local areas are negotiated yearly and are subject to change.**

<b><u>STUDENTS PAST PERFORMANCE INFORMATION – past 12 months period</u></b>	<b><u>WSGM Minimum Standard</u></b>	<b><u>Definition</u></b>
<b><u>Must pass two of six measures</u></b>		
<b><u>Median Earnings – Quarterly</u></b>	<b><u>\$12.50</u></b>	<b><u>The median earnings of program</u></b>

<u>earnings/hourly rate</u>		participants who are in unsubsidized employment during the second quarter after exit from the program
<u>Average Wage at Placement</u> *(WSGM self-sufficiency wage)	<u>\$11.42</u>	Average wage at placement of completers obtaining employment during the above period
<u>Attainment of Post-Secondary Credential – Adult CR</u>	<u>68%</u>	The percentage of program participants who obtain a recognized post-secondary credential or a secondary school diploma or its recognized equivalent during participation in or within 1 year after exit from the program
<u>Completion Rate</u> *(State ETPL min. 70%-WSGM min. 80%)	<u>80%</u>	Program completion rate for student completing all coursework and exams
<u>Employment Rate- Adult ER</u>	<u>82.5%</u>	Employment rate for all students completing the program coursework
<u>Training-Related Employment Rate</u> *(same as Adult ER)	<u>82.5%</u>	Percent of completers exiting the program who have obtained training-related employment

**Currently approved Eligible Training Providers proposing new training programs (with no performance history)**

Approved Training Providers proposing new training programs shall follow the procedure below in order to qualify for one year of initial eligibility. Approved Training Providers seeking initial eligibility for a new program shall provide the LWBD a narrative application, which must include the following verifiable program specific performance information:

1. Provide information on a substantially similar training program (in the same industry) indicating whether than program satisfied the following indicators of performance:
  - a. unsubsidized employment during the second quarter after exit,
  - b. unsubsidized employment during the fourth quarter after exit,
  - c. median earnings,
  - d. credential attainment,
  - e. average wage at placement, and,
  - f. training related employment rate.
2. A descriptive narrative with information on the proposed training program’s ability to satisfy the following indicators of performance:
  - a. unsubsidized employment during the second quarter after exit,
  - b. unsubsidized employment during the fourth quarter after exit,
  - c. median earnings,
  - d. credential attainment,
  - e. average wage at placement, and,
  - f. training related employment rate.
3. Information concerning whether the provider is in a partnership with business. This could include information about the quality and quantity of employer partnerships.
4. Information that addresses alignment of the training services with in-demand industry sectors and occupations, to the extent possible.
5. LWDA’s must re-verify that the Approved Training Provider’s proposed new program complies with the following to be considered for one-year inclusion on the State ETPL.

- a. Approved Training Provider must have been in business for at least six months prior to the initial application and must have a current business license or proof of active compliance with the Secretary of State Corporations Division;
- b. Training programs must be available to the general public and have published catalog price structures;
- c. Training facilities must comply with ADA requirements for accessibility and reasonable accommodation;
- d. Approved Training Providers must be current on all federal and State taxes (must supply certification from accounting/tax firm of current tax standing regarding federal and State taxes, including Unemployment Insurance taxes);
- e. Approved Training Providers must be in statutory compliance with the laws of the State related to operation as a training education institution. Proprietary colleges or schools operating in Georgia are required by the Nonpublic Post-Secondary Educational Institution Act of 1990 to have a certificate of authorization from the NPEC before beginning operation or advertising in the state;
- f. Approved Training Providers must provide documentation of current accreditation/authorization;
- g. Approved Training Providers must not have been found at fault in criminal, civil or administrative proceedings related to its performance as a training or educational institution and must disclose any pending criminal, civil or administrative proceeding as either a defendant or a respondent;
- h. Approved Training Providers must disclose any and all conflicts of interest with State or LWDB staff or board members including, but not limited to family ties (spouse, child and parent), fiduciary roles and employment or ownership interests in common, and
- i. All applications must include a current federal tax identification number.

All information detailed above shall be reviewed and verified by the LWDB, in a manner detailed in local policy to determine whether or not the proposed program shall be granted initial one-year eligibility.

At the conclusion of the initial year, the program shall provide such required data as outlined and detailed below for the State to determine whether the program shall remain on the ETPL or be removed. Each required measure's data shall be collected and submitted by the LWDA. The Approved Training Provider may continue enrolling WIOA funded students into the initially approved program until such time as the State issues a determination regarding continued eligibility and subsequent placement on the ETPL.

After receiving the program's data from the LWDA, the State shall perform its review of the program. If the necessary data is not received by the State in a timely manner, the Program shall not receive continued eligibility or be placed on the ETPL. The program must satisfy the following factors in order to be determined eligible for placement on the ETPL:

1. The program must enroll at least ten (10) students during the 12-month initial eligibility period, and;
2. The program must satisfy two or more of the six factors identified in the table below.

If the program fails to satisfy either of the two requirements listed above, the Approved Training Provider's program under review will be removed in accordance with Section 4.4.7 (II)

**Job Placement:** Training providers are responsible for placement of program trainees. Continued inclusion on the eligible provider listing is contingent upon successful completion and placement of trainees. It is imperative that providers work with WSGM to assure the prompt and accurate recording of placement information. WSGM is available to assist trainees with issues arising during initial placement, such as child care, etc.

**Monitoring and Evaluation of Performance:** Providers will be evaluated quarterly by GMRC/GMWDB, WSGM, or its authorized representatives based on meeting or exceeding the above mentioned performance measures. The evaluation may be on-site, desktop, or a combination of methods. The Provider will agree to cooperate in any and all components of the evaluation and will make records available to the monitors in a timely manner.

**Notice of Denial of Eligibility or Removal:** See Attachment E. State Workforce Policies and Procedures Section 4.4.7).

**Out-of-State Training Providers:** In order for WIOA students to access training through Out-of-State Training Providers not currently on the ETPL, the training providers must comply with the conditions set forth below before the Local Workforce Development Board may consider contracting with the provider.

The provider shall:

1. Submit an application for Initial Eligibility, including program description attachments;
2. Submit evidence that the provider is accredited by an accreditation agency approved by the US Department of Education (If regulated by government entities such as the Department of Transportation, the provider should include applicable accreditation);
3. Submit evidence that the institution is currently on its state eligible training provider list and in good standing; and,
4. Report student completion data (employment and wage information to the WFD) consistent with WIOA performance information.

Regarding performance information, specific participant numbers shall be included to show satisfactory performance in any of the formats listed below:

- a. A certified report or letter from the State's Title I or WIOA Administration agency, reporting on the provider's satisfactory performance; or
- b. A certified report or letter from a Local Workforce Development Area within the provider's state reporting on the provider's satisfactory performance.

Out-of-state postsecondary training providers that are not operating within the State of Georgia are not required to be licensed by the Non-Public Post-Secondary Commission of Georgia (NPEC). Local Workforce Development Boards will review and approve out-of-state training providers based on the needs of the local area and input provider information into the GWROPP for state approval.

**Performance:** The Provider understands and agrees that it is expected that performance outcomes will meet or exceed the rates as listed in the Initial Eligibility description. The employment rate and wage rates include both customers who are successful completers and those who are non-completers. Please note the requirements for Continued Eligibility for the State Eligible Training Provider Listing. Performance will be monitored quarterly on six of the performance outcomes:

- Completion Rate
- Attainment of Post-Secondary Credential
- Employment Rate (adults and dislocated workers)
- Employment Rate in a training related occupation (adults and dislocated workers)
- Average Wage at Placement (adults and dislocated workers)
- Median Wage at Placement (adults and dislocated workers)

**Performance Hold Status:** A Provider may be placed on a "performance hold" status, by GMRC/GMWDB, if they do not meet three of the six following measures:

- Completion Rate
- Attainment of Post-Secondary Credential
- Employment Rate (adults and dislocated workers)
- Employment Rate in a training related occupation (adults and dislocated workers)
- Average Wage at Placement (adults and dislocated workers)
- Median Earnings (adult and dislocated workers)

Providers will be responsible for researching, investigating and submitting verifiable documentation. The "hold" status will continue until such time a Provider furnishes sufficient (as determined by GMRC/GMWDB) verifiable customer information to bring performance levels above minimum levels. "Hold" status will be reviewed as soon as information is submitted, but no less than quarterly. A Provider may also be placed in "hold" status due to ongoing failure to notify case managers of attendance, academic, or support concerns that are affecting timely completion of training or the gaining of subsequent training related employment, or for unresolved compliance monitoring findings.

**Provider Entry Criteria:** Training providers will be held accountable to meet certain performance standards established by the State and WSGM and will qualify for the ETPL on performance. Training providers have responsibility for assessing the current skills, education and experience of candidates and providing training and employment for customers.

GMRC/GMWDB may require additional assessments to determine suitability for training programs. However, if customers are enrolled in Provider programs that are not appropriate for them, they may not receive the full benefits of the WIOA system. Similarly, this may cause Providers not to meet established state, local, and contractual performance standards. Provider entry requirements will be a critical factor in establishing and attaining successful performance. They should be established with a purpose of determining whether the customer's current skills, education, experience, etc. will enable them to complete the training program, obtain the knowledge and skills necessary to receive certification, as well as obtain training-related employment with wages that meet standards and promote self-sufficiency.

Providers should be aware that entry requirements for reading, math and language should match those appearing on the ETPL. The Program Description, submitted by the Provider, contains all information regarding entry criteria. Testing for reading, math and language should be comparable to the Tests of Adult Basic Education (TABE).

Letters of acceptance should include a statement that the student has met the entry requirements as stated on the ETPL. Persons not meeting the stated ETPL entry requirements should not attend training until the appropriate levels are achieved.

If customers are eligible for grants and scholarships such as the PELL Grant or HOPE Scholarship, applications must be made for these funds so that funds may be combined to provide for total costs of training expenses.

**Program of Training Services:** A program of training services is: (a) one or more courses or classes that, upon successful completion, leads to (a) a recognized post-secondary credential, secondary school diploma or its equivalent, (b) training-related employment, or (c) measurable skills gains toward such credential or employment..

**Registered Apprenticeship:** Apprenticeship Programs registered under the National Apprenticeship Act (NAA) are exempt from initial eligibility procedures. Registered Apprenticeship programs are not subject to the same application and performance information requirements or to a period of initial eligibility or initial eligibility procedures as other providers because they are subject to a detailed application and vetting procedure to become a Registered Apprenticeship program with the United States Department of Labor. Registered apprenticeship programs must be included and maintained on the list of eligible providers of training services as long as the corresponding program remains registered. Under WIOA, Registered Apprenticeship programs that request to be ETPs are automatically included on the list and will remain as long as the program is registered or until the program sponsor notifies the State that it no longer wants to be included on the list.

**Time and Attendance Records:** Provider responsibilities include the recording of attendance information of WIOA customers and submittal to the WIOA case manager on a bi-weekly basis. If a customer should fail to show for training as scheduled on the approved training plan, the Provider will immediately notify the case manager. The course instructor will verify attendance information. Should a customer drop out of training during the refund period, prompt notification must occur and a refund processed to GMRC. The Provider may submit school attendance forms, so long as the applicable information is included.

**Training Enrollment:** In addition to the letter of acceptance, Providers are to provide a listing of required coursework, including and specifying core courses, prices, and a schedule of courses to be accomplished during the program. This listing is to also be forwarded to each case manager and should be attached to the training voucher. Upon enrollment by the WIOA case manager, each customer will sign an Enrollment Agreement, detailing customer obligations for completion of training, testing completion, etc.

**Training Activities:** Activities during training shall include establishing a joint career advisement relationship with WIOA case managers, and notification to them within three (3) days of any difficulties or problems encountered by WIOA customers, such as no or poor attendance, difficulty in keeping up, other academic problems, apparent social problems, or support needs. A withdrawal from training is to be immediately reported, at a minimum no later than three (3) days subsequent to occurrence. Any changes or amendments to the customer's training plan must be submitted to the case manager. If approved, the case manager will issue an ITA voucher to both the customer and the Provider to reflect the changes.

**Sequential Courses:** Semester/quarter customers will not be allowed to continue multi-package training programs without proof of completion of prior coursework and testing. In the event that two or more related multi- package courses are required prior to certification testing, the case managers are to be notified with subsequent notice to GMWDB.

**Training Completion (Private Provider's):** The Provider will inform and/or complete the WIOA Customer Employment/End of Service Form indicating that training was completed, the date completed, certificate or credential obtained, etc., and forward a copy with the invoice to GMRC and a copy to the case manager within 10 days of activity completion. For invoice purposes, 25% of the tuition is payable upon participant's successful training completion AND the final 25% upon successful receipt of a credential. A copy of the customer transcript detailing course work completed is to be attached. The transcript is to be compared to the original voucher required coursework to assure completion requirements are met. If a customer does not complete training, the form will indicate the reasons, if known, and any additional information. Proof of completion may include certificates of completion, test results, quarter/semester grade reports, etc.

### **Administrative and Financial Processes**

**Adherence to Applicable Laws and Regulations:** The Provider agrees to comply fully with all applicable rules, regulations, policies, guidelines and requirements, including but not limited to the following applicable Federal/State laws: Workforce Innovation and Opportunity Act (P.L. 113-128), [29 USC § 3248\(e\)](#), [29 CFR § 38](#), 20 CFR 626-631 and all applicable OMB Circulars.

**Administrative or Financial Hold Status:** A Provider may be placed on "administrative or financial hold" status by GMRC, at any time there are unresolved issues or rising concerns of a financial nature. During the period of financial hold no new enrollments will be allowed and any pending payments may be withheld. Reasons that a provider may be placed on financial hold are as follows, but not limited to:

1. Notification to GMRC from an outside agency of a levy placed against the Provider.
2. Failure of the Provider to submit any agreed upon refund
3. Failure of the Provider to provide students with the necessary supplies, books, etc., for the specified training program (as per agreement between GMRC and the Provider)
4. Notification or evidence that the Provider may be committing fraudulent activities
5. Concerns of the status of the Provider's financial stability

In most cases, Providers will be given a thirty (30) day notice of "Pending Hold" action. During this time Providers will be responsible for researching, investigating, and submitting verifiable documentation, or acceptable explanation in response to any findings or allegations. Failure to respond to notice in the required time will result in Provider being placed on indefinite hold, and/or termination of agreement between GMRC and the Provider.

In cases where the GMRC has been informed in writing of a levy against the Provider, or the Provider fails to submit any agreed upon refund, or the Provider relocates and/or closes the training location without proper notice to GMRC and/or students, the Provider will be immediately placed on financial hold status and notified in writing within five (5) business days of being placed on hold. The Provider will then have thirty (30) days to remedy or respond to the notice, whichever is required. Failure to respond to or remedy notice in the required time will result in Provider being placed on indefinite hold, and/or termination of agreement between GMRC and the Provider.

**Costs and Expenses:** The Provider assures that the costs correlate with the price advertised to the general public, less any WIOA discount, if applicable. Limitations are based on invoicing procedures provided in Attachment G and limited to ITA Voucher items and amounts. Customers are required to complete classes/courses prior to billing for the next sequential classes/courses. (See Sequential Training). Sequential payments will be made for classes/courses within a total program of study as they begin. Payments will be denied for any customer attending a sequential training program prior to completion

of prior coursework and testing, including credential exams. Exceptions may be granted based on appropriate related multi-package training approved by the WIOA case manager.

All test fees will be paid with prior approval from the WIOA case manager and must have a scheduled date for testing. In addition, confirmation of registration from the testing body and or receipts that clearly identify the participant(s) must be provided prior to reimbursement. Receipts for batch purchases will not be accepted as confirmation. Test retake fees, late fee payments, fines and penalties are not allowable as Costs and Expenses. Exceptions may be granted only if the delay was due to GMRC/GMWDB staff error.

Although test fees are reimbursed based on pre-approved costs between GMRC and the training provider, GMRC will honor and pay increases in test fees that are made by the industry approved credentialing agencies. This will be effective **AFTER GMRC/GMWDB** receives official notification of those changes, and is not retroactive. Any increases made and controlled by the training provider must receive prior approval by GMRC.

**Equal Employment Opportunity:** The Provider agrees to comply fully with the non-discrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act, Title VII of the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act of 1973, The Age Discrimination Act of 1975, as amended, and Title IX of the Education Amendments of 1972, as amended. The Provider also insures that programmatic and architectural accessibility and auxiliary aids and services are available upon request to customers with disabilities and the ADA Amendments Act of 2008.

**Invoice/Payment Procedures:** GMRC/GMWDB, through its authorized representative, will issue an ITA Obligation Voucher(s) to the Provider authorizing training. Only those Costs or Expenses identified on the voucher will be eligible for payment. The Provider agrees to invoice GMRC for services delivered based on the training program's respective training profile to be determined in advance by GMRC and the Provider. Please note that GMRC will not pay the costs of any customer who begins training with a Provider without an ITA voucher. Costs and expenses are to be documented and itemized on the Provider invoice and will match the approved costs for that training program. Invoices may not exceed authorized voucher expenses. Books, supplies, uniforms, drug testing, tuition, testing fees, and any other costs required for training shall be paid upon GMRC's receipt and acceptance of an invoice, ITA voucher, and acceptable backup documentation. All invoices will be processed within 30 days from the date received, providing there are no errors and/or omissions and all supporting documents have been submitted. Otherwise, payments may be delayed beyond 30 days.

All invoices must contain the following information: WIOA Customer's name (must match name on the voucher), course of study, training beginning and ending dates, remittance address, a contact's name and phone number, an invoice number, and a date. Insufficient information may result in delay or non-payment of invoices. Invoices must be billed to:

**Georgia Mountains Regional Commission  
Attn: Finance Department  
PO Box 1720  
Gainesville, GA 30501.**

Invoices that are received by GMRC more than 60 days after the completion of a course or program may not be processed or paid. Please note that in all cases payments are contingent upon the availability of funding.

## PROVIDER/PROGRAM APPLICATION RESPONSIVENESS CHECKLIST

**IF ORGANIZATION IS UNABLE TO MEET ANY REQUIREMENTS OF THE RESPONSIVENESS CRITERIA LISTED BELOW, THE PROGRAMS WILL NOT BE REVIEWED AND WILL BE CONSIDERED NON-RESPONSIVE.**

**NAME OF PROVIDER**

---

### **REQUIREMENTS**

- Must be in statutory compliance with Georgia the laws as related to its operation as a training or educational institution
- Training facilities must comply with ADA requirements for accessibility and reasonable accommodation.
- Must have been in business for at least six months prior to initial application and must maintain legal active status to conduct business, evidenced by a current business license and/or proof of active compliance with the Secretary of State Corporations Division (attach to application).
- Must supply certification from accounting/tax firm of current tax standing regarding Federal and State taxes, including Unemployment Insurance (UI) taxes.
- Must be in good standing with the Better Business Bureau with no outstanding complaints.
- Must not be found in fault in criminal, civil, or administrative proceeding related to performance as a training or educational institution. Must disclose any pending criminal, civil or administrative proceeding as either a defendant or a respondent (sign Debarment Statement, Attachment A).
- Must disclose any and all conflicts of interest with state, or local WSGM staff or Board Members, including, but not limited to family ties, (spouse, child, parent), fiduciary roles, employment, or ownership interests in common.
- All applications must include the current federal tax identification number (the number used to file employee income taxes with the Internal Revenue Service).
- To be considered for review, each program must have at least ten students who have completed the program and obtained training related employment, with documentation available on employment status. Newly formed programs should wait to apply until this has occurred. New programs without documented completion and employment records will not be reviewed. (Exception - For currently approved providers, see Requests for additional new program (without performance history)).

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### **TRAINING PROGRAM CRITERIA**

- Training skills are specific and in demand in the labor market.
  - A recognized post-secondary credential is attained after program completion
  - The program/s is/are existent, ongoing and continuous.
  - The training programs are open to the general public, have published catalog price structures and are not solely dedicated/availed to WIOA customers.
  - Job search and/or placement assistance is provided by the organization.
  - The organization does not appear on current federal, state or local debarment and suspension lists.
  - The provider assures that the proposed training facility is disabled accessible or are reasonable accommodations made for provision of services to disabled individuals.
-

**NPEC AND/OR OTHER ACCREDITATION/AUTHORIZATION**

**Proprietary colleges or schools operating in Georgia are required by the Nonpublic Post-Secondary Educational Institutions Act of 1990 (NPEIA) to have a certificate of authorization from the Georgia Nonpublic Post-Secondary Education Commission (NPEC) before beginning operation or advertising in the state.** This certificate must be renewed annually. The NPECs’ primary purpose is to ensure that each authorized college or school is educationally sound and financially stable.

**Nonpublic Degree Granting Post-Secondary Educational Institutions in Georgia** - The Nonpublic Post-Secondary Educational Institutions Act of 1990 provides that a post-secondary educational institution must apply for and be granted a Certificate of Authorization before beginning operation or advertising in Georgia. NPEC must authorize each degree program. Following initial authorization, the institution’s Certificate must be renewed annually. Any institution operating or advertising to begin operation without acquiring the necessary Certificate of Authorization is in violation of Georgia law, and shall be subject to civil penalties.

**Nonpublic Non-Degree Granting Post-Secondary Institutions in Georgia** – Any instructional program defined as a proprietary school according to the Nonpublic Post-Secondary Educational Institutions Act of 1990 must apply for and be granted a Certificate of Authorization before beginning operation or advertising in Georgia. Following initial authorization, the institution’s Certificate must be renewed annually. Any institution operation or advertising to begin operation without acquiring the necessary Certificate of Authorization is in violation of Georgia law, and shall be subject to civil penalties.

NPEC allows exemptions when another governmental agency is providing oversight. For example, the Georgia Department of Public Safety provides oversight of Truck Driver Training Programs. Proprietary schools interested in becoming a WIOA ITA provider will need to contact NPEC to begin the authorization process.

For additional information concerning NPEC, please contact:

Laura S. Wieth, Deputy Director  
Nonpublic Post-Secondary Education Commission  
2082 East Exchange Place, Suite 220  
Tucker, GA 30084  
(770) 414-3300  
<http://www.gnpec.georgia.gov>

Check below the agency/agencies providing accreditation/authorization for your organization and attach a copy of the certification document.

- Nonpublic Post-Secondary Education Commission (NPEC)
- Georgia Healthcare Partnership (GHP/GMCF)
- Department of Public Safety (DPS)
- Other(s): \_\_\_\_\_

- All programs must be currently approved by NPEC or other Accrediting organization (Include copy of NPEC certification for each program)
- Provide licensure documentation if another governmental agency is providing oversight (i.e., GA Public Safety or GA Medical Care Foundation).
- Attach a copy of the credential and a confirming statement that graduates of the program may sit for the

Credential Examination.

**ATTACHMENTS TO APPLICATION**

The following items have been included as an attachment to the application:

- Accreditation/Authorization Documents (Include authorizing agency description) \*
- Catalog or Brochure
- Copies of credential(s) to be received by students
- Current Business License\*
- Debarment Form
- NPEC Certification \*
- Program Description(s)
- Published Course Price Listing (Copy of catalog or website page, if price included)
- Schedule of Classes
- Signed EEO and Conflict of Interest Assurances
- Conflict of Interest Assurance

\*Please attach if applicable to your organization.

## Individual Training Account (ITA) Provider/Program Application

### ITA Provider Information

Training Provider Name	
Address	
City	
State	
Zip	
County	
Website (URL)	
Authorization/Accreditation	
Federal Tax ID # (99-9999999)	
Year Business Established	
Contact Name, Title	
Phone (999-999-9999)	
Fax (999-999-9999)	
Email	

### Financial Aid

Pell Grant	Yes	No
Hope Scholarship	Yes	No
Other, Please Specify (Title IV, Sallie Mae, etc.)	Yes	No

Complete separate copies of the following 4 pages for **EACH PROPOSED PROGRAM.**

### Program Information

Program Title	
Program Description Describe or attach) # of weeks/hours/curriculum hours	
Program Specific Authorization/ Accreditation	
Pre-Screening requirements (drug test, etc.	
Credential Earned	Please complete form on the following page for <u>each</u> program
Describe in Detail Provider Partnerships with Business	
Describe how the training program aligns with in- demand occupations/industries	

## Credentials for Each Program Requested for Georgia Eligible Training Provider List

Training Provider Name: \_\_\_\_\_

Program	Credential Name	Organization Granting Credential	Price of Exam	Address & Contact Information of Organization Granting Credential

**Attach a copy of the credential and a confirming statement that graduates of the program may sit for the Credential Examination**

**Published Program Cost (as advertised to the general public via website & catalog)**

Provider Program:				
Item		Cost		
<b>Tuition</b>				
<b>Supplies</b> <u>List each supply and cost</u>				
<b>Supplies Total</b>		\$		
<b>Books – list each one</b>				
Name				
ISBN Number				
Name				
ISBN Number				
<b>Books Total</b>		\$		
<b>Test Fees</b> (List Name of Exam)				
<b>Test Fees Total</b>		\$		
<b>Fees</b> (List all fees)				
<b>Fees Total</b>		\$		
<b>Tuition</b>		\$		
<b>Total Program Cost</b>		\$		
<b>Program Duration</b>				
<b>Number of Weeks</b>	<b>(Classroom) Curriculum Hours</b>	<b>Other (Specify Internship/Externship Hours Separately)</b>		
<b>Entry Criteria: Tests of Adult Basic Education (TABE) assesses basic reading, math and language skills and provides Grade equivalent scores.</b>				
<b>High School Diploma Required</b>	<b>Reading Level</b>	<b>Math Level</b>	<b>Language Level</b>	<b>Other Entry Requirements (Please List)</b>
Yes    No				

<b>Number of <u>completed programs</u> the Training Provider has conducted:</b>	<b>Number of Students</b>	<b>%/ \$</b>
<b>Total Students past 12 months</b>		
<b>Median Earnings After Placement</b> (median weekly earnings of program completers placed in unsubsidized employment during the second quarter after exit from the program)		\$
<b>Average Wage at Placement</b> (average wage at placement of completers obtaining employment during the past 12 months)		\$
<b>Attainment of Post-Secondary Credential</b> (number and percent of completers exiting the program who obtained a recognized post-secondary credential (diploma, certificate or license) during participation in or within 1 year after exit from the program)	/	%
<b>Completion Rate</b> (number and percent of total students exiting during the last 12 months who met the program's completion requisites)		%
<b>Employment Rate</b> (number and percent of completers exiting the program during the last 12 months who obtained employment)		%
<b>Training-Related Employment</b> (number and percent of completers exiting the program during the last 12 months who have obtained training related employment)		%

***Must include performance data on at least 10 students per program (use single sheet per program):***  
(Employers listed will be contacted)

**Graduate and Employer References**

Graduate Name	Graduate Phone Number	Employed By	Employer Contact Name	Employer Phone Number

**CERTIFICATION**

I hereby certify that the information provided in this Application package is true and correct. I also understand that my organization may be subject to an on-site review of training and facilities, and may be asked to provide supporting documentation before the final execution of an agreement. I assure that proposed training facilities are disabled accessible or reasonable accommodations will be made for the provision of services to disabled individuals. I assure that costs as described as the same as those published for the general public.

\_\_\_\_\_  
Name (Printed) and Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EEO ASSURANCE**

As a condition to the award of financial assistance from the Technical College System of Georgia Office of Workforce Development Division, under WIOA, the applicant assures that it will comply with the nondiscrimination and equal opportunity provisions of the following laws:

The U.S. Department of Labor (Department) is issuing nondiscrimination and equal opportunity regulations to implement Section 188 of the Workforce Innovation and Opportunity Act (WIOA). Under Section 188(e) of WIOA, Congress required the Department to issue regulations implementing Section 188 no later than one year after enactment of WIOA. The Department's publication of this final rule complies with the statutory mandate. This final rule creates a new part in the CFR, which mirrors the regulations published in the CFR in 1999 to implement Section 188 of WIA. The Department has made no substantive changes in this final rule; the changes are technical in nature. This final rule adopts the Department's regulatory scheme for Section 188 of WIA verbatim, with technical revisions to conform to WIOA. Specifically, the Department has: Replaced references to the "Workforce Investment Act of 1998" or "WIA" with "Workforce Innovation and Opportunity Act" or "WIOA" to reflect the proper statutory authority; and updated section numbers in the text of the regulation to reflect its new location.

Section 188 of WIA prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I financially assisted program or activity; Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin; Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of age, and The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

\_\_\_\_\_  
Name (Printed) and Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**STANDARDS OF CONDUCT ASSURANCE:**

The Training Provider agrees that in administering Workforce Innovation and Opportunity Act funded training services, it will comply with standards of conduct that maintain the integrity of the program in an impartial manner, free from personal, financial or political gain by avoiding situations which suggest that any decision was influenced by prejudice, bias, or special interest.

\_\_\_\_\_  
Name (Printed) and Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**CONFLICT OF INTEREST**

The Training Provider agrees that they shall, in all respects, comply with applicable federal and state laws pertaining to conflict of interest (2CFR 667.200 (4)(i)(ii). The Training Provider assures that it did not solicit, pay or offer some form of consideration to any GMWDB member, WSGM staff or GMRC board or staff in order to affect a Training Provider agreement. The Training Provider agrees that no member of the Training Provider staff or ownership is aware that any member of his or her immediate family, business partner, or any organization that employs or is about to employ any of those persons, has any financial or material interest in the GMWDB, GMRC or WSGM.

\_\_\_\_\_  
**Name (Printed) and Title**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

**ATTACHMENT A**

**Certification Regarding Debarment, Suspension, and Other Responsibility Matters Primary Covered Transactions**

This certification is required by the regulation implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98 Section 98.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211).

(BEFORE SIGNING CERTIFICATION, READ ATTACHED INSTRUCTIONS WHICH ARE AN INTEGRAL PART OF THE CERTIFICATION)

- (1) The prospective primary certifies to the best of its knowledge and belief, that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted of a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining; attempting to obtain, or performing a public Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
  - (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or Local) termination for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach and explanation to this proposal.

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Name and Title of Authorized Representative

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Signature

## Attachment B

### WSGM INDIVIDUAL TRAINING ACCOUNT POLICY

An individual determined eligible for WIOA-funded training services may select an eligible training program/provider from the Georgia Mountains Workforce Development Board/State approved ETPL in consultation with a WSGM representative

#### **Policies:**

1. Training must be in occupations identified in the local WIOA plan as growth and/or demand occupations or documentation of employment prospects for areas not listed in the Plan must be provided. Growth and Demand Occupation lists are subject to change at any time due to fluctuating economic conditions.
2. Training must result in an employment wage sufficient to maintain or increase income.
3. ITAs may be utilized for expenses related to training, including but not limited to the following: books, tuition and fees, general supplies, tools, uniforms and shoes, certification, licensing, testing fees, drug testing for entrance into training, medical requirements for training entrance, and such items specifically required for a course or program. The following items are not provided by ITAs: Certain WSGM computers and related equipment, computer program software, peripherals, electronic and wireless equipment unless approved on a case-by-case basis by WSGM.
4. Funding limitations will be as follows:
  - a. Up to \$6,000 in training costs, excluding support may be expended for each participant for the first year (three consecutive semesters) of training assistance.
  - b. For training assistance that extends beyond one year, total training costs may not exceed \$10,000 (excluding support.)
  - c. For the following programs: Nurse Practitioner MS, Bachelors of Science Nursing, Occupational Therapist, Physical Therapist, Physical Therapy Assistant AAS, Dental Hygiene AAS, and Health Care Information Technology AAS, funding for the first year of training assistance may be up to \$7,000 and for training that extends beyond one year of assistance, total training costs may not exceed \$14,000. An increase to these limits requires WSGM case manager approval for each participant. (Effective from July 1, 2017 forward with revisions)
  - d. The total cost of training may exceed the available WIOA funding limitations however customers must provide evidence that additional financial support is available to cover the total training cost. In a case where the total cost of training exceeds the available WIOA funding limitations, customer funding will be utilized until the remaining training amount is within local area funding limitations. WIOA supportive services may be paid during the time in which the customer funding is being utilized.
  - e. Up to \$11,000 excluding support for a specialized Welding Program. (Effective 7/1/2014) WSGM does not assist with training that is outside the contiguous United States of America.
5. Programs should not exceed 104 weeks (two years). Exceptions to this policy may be approved on a case- by-case basis and requests should include evidence that financial support is available during extended training periods.
6. In addition: WSGM assists with one (1) program of study with limited exceptions:
  - a. Stackable Credential: Part of a sequence of credentials that can be accumulated over time to build up an individual's qualifications and help them to move along a career pathway or up a career ladder to different and potentially higher-paying jobs (Customers must be eligible and suitable; Maximum training dollar limit of \$10,000 per individual for all WSGM training combined will not be exceeded)
  - b. Programs that require a prerequisite, e.g. Air Conditioning Technology with Commercial Refrigeration,

Licensed Practical Nurse, and Health Care Assistant Certificates (Total training must fall within the WSGM length and cost of training limits)

- c. A participant may take no more than two approved training programs identified under the Career Ladder Training Program. They must fully complete the first program before being considered for advancement to the next program. Completion, for the purposes of Career Ladder Training, is completion of training, all tests required per training provider curriculum), and receipt of credential(s). Also, participants are not required to continue training with the same training provider after completion of the first program. They may elect to continue additional training at another approved training program/provider.
7. Customers applying for training services that have recent (within last three years) training and attainment of a recognized credential in a growth and demand occupation may not be considered to be “in need of training” services. (Exceptions require WSGM Director approval)
8. Changes in Training Provider are not allowed. (Any exceptions, as noted under Career Ladder, require WSGM Director Approval)
9. An upgrade to a degree program is not permitted due to the length of program guidelines, available funding, and Individual Training Account (ITA) requirements. A downgrade from a degree or diploma credential level program, or lateral change of program within the same credential level, may be allowed based on documented statements or evaluations by the Training Provider, and the WSGM Case Manager; or in case of documented medical condition(s).
10. A customer cannot change their major, program of study or add/drop a course without prior approval by their WSGM Case Manager. In the event of withdrawal from/failure of a course or program, WSGM will not provide the funds to re-enroll in that course at a later date.
11. All customers must maintain a full-time training status as determined by the training provider. Exceptions to this policy may be approved on a case-by-case basis at the case manager’s discretion.
12. In general, all training programs must be within a reasonable commute (30-40 miles one way) of the WIOA local area. Out-of-the-area training programs that are not within commuting distance to the WIOA local area may be approved on a case-by-case basis. All approved training must be located within the contiguous United States. Lodging may be provided by some training providers (CDL of GA, LLC, Daly’s Truck Driving School or Georgia Driving Academy) either free or at a reasonable cost. WIOA funding may be provided for lodging if the customer lives outside of a reasonable commute (30-40 miles one way) or reliable transportation is not available.
13. All potential training customers must apply to the potential training site and apply for all applicable sources of financial aid. Upon application to the WSGM for training services, applicants must provide proof of acceptance to the training provider and financial aid award/denial letter, if applicable. All customers who apply for training services must complete a Customer Financial Summary and provide information that will explore all available sources of financial aid (i.e., Pell, HOPE Grant, HOPE Scholarship, TANF) to avoid duplication. The enrollment agreement should detail all loans or personal funds that are included to cover the total cost of training as a means of cost analysis. If it is determined through the analysis of the cost of attendance that the total cost of training exceeds the amount available through HOPE and WIOA funding, then PELL funds may be utilized by the participant for living and other appropriate personal expenses during the training period. Provision of WIOA funding for training shall be limited to individuals who are unable to obtain other grant assistance for such services, or who require assistance beyond the financial aid available under these grant assistance programs.
14. WIOA funding may be provided for college level and post-baccalaureate instruction only if all of the following conditions have been met:
  - a. The customer must be accepted into a certificate, diploma, or degree program and the course of study must be occupation-specific (i.e. radiology technician, accounting, STEM teacher certification or a customer is a Registered Nurse seeking a graduate degree in Nursing to fill a vacant Nursing instructor position at a university or technical college.) No funds shall be provided for general academic

programs (i.e. General Studies, Bachelors of Business Administration, Bachelors of Art, etc.).

- b. Total course of study will take no longer than 104 weeks (2 years) to complete and be a certificate, diploma, or degree program. Exceptions: Extended critical shortage health care curricula lasting 3 years will be reviewed and approved on a case-by-case basis, i.e. Registered Nursing, Nurse Practitioner, Occupational Therapist.
  - c. The customer must demonstrate that he/she has the financial resources to attend long-term training.
15. Continuing Education and other similar courses may be approved if the following conditions apply:
- a. The customer must have a specific occupational goal.
  - b. The customer must have a work history or educational background that relates to the occupational goal.
  - c. The customer must present evidence describing how the proposed training will increase his/her employment marketability.
16. Customers accepted on a provisional basis may receive assistance, but certain restriction and requirements apply and are reviewed on a case-by-case basis. If assistance is approved, provisional classes must be taken at the beginning of the training program and completed as soon as possible.
17. ITAs will not be used for payment of late fees caused by customer error or delay. The customer will be responsible for these fees, as he/she is responsible for other fines or penalties.

ITAs will be issued for training providers/programs that are currently on the State of Georgia Eligible Provider/Program List and with whom WSGM has a signed WIOA Training Provider Agreement. WSGM office maintains a list of the providers with executed agreements through the Georgia Mountains Regional Commission office in Gainesville. This list is updated as needed.

**Attachment C**  
**To be Completed by WSGM Staff Only**

**PROVIDER APPLICATION**  
**EVALUATION CRITERIA**  
**WSGM**

**NAME OF PROVIDER:** \_\_\_\_\_

**TRAINING PROPOSED:** \_\_\_\_\_

**RATER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**I. APPROPRIATENESS/OUTCOMES**

		Yes	No	N/A
1	Is (Are) the proposed training program(s) in a growth occupation identified in the application, or has the provider submitted documentation of a need for proposed training?			
2	Does the provider site indicate a positive learning atmosphere with training curriculum and equipment that are up-to-date and considered state-of-the-art?			
3	Does the tuition include costs for supplies, etc., as part of the total cost?			
4	Job search assistance included?			
5	Do references of both participants and employers indicate that completers attain marketable job skills after training?			
6	Will training lead to a certificate, diploma or degree?			
7	Are training schedules on-going?			
8	Is the cost in line with similar programs provided throughout the local area?			

**II. PAST PERFORMANCE**

		Yes	No	N/A
1	Does the provider have previous successful completion rate, defined as meeting or exceeding WSGM goals for the previous 12 months?			
2	Does the provider have previous successful experience in placing individuals in training related occupations classified as unsubsidized employment defined as meeting or exceeding WSGM goals for the previous 12 months?			
3	Does the provider have previous successful unsubsidized employment in training related occupations experience, defined as meeting or exceeding WSGM goals for the previous 12 months?			
4	Does the training program(s) result in an employment at a wage necessary to attain self-sufficiency?			
5	Will placement occur in full time positions with potential growth and benefits?			
6	Does the student loan default rate exceed 25%?			
7	Is the provider listed on current Federal, State or local debarment/suspension lists?			

**III. CAPABILITY OF TRAINING ORGANIZATION**

		Yes	No	N/A
1	Has the organization been in operation for more than 6 months and submitted evidence of financial stability, i.e., sound financial statement, audit report, tax return?			
2	Has the curriculum been certified by an appropriate accrediting agency?			
3	Has the organization's programs been certified by NPEC (if applicable)?			
4	Has the provider submitted a signed debarment statement?			

**IV. BONUS**

		Yes	No	N/A
1	Does the provider have experience with training special populations, such as disabled, homeless, low income, individuals with language or cultural barriers?			

**V. RANKING INFORMATION**

(0 = Not Acceptable, 1 = Weak, 2 = Average, 3 = Good, 4 = Excellent)		Ranking	Weight	Total
1	Appropriateness/Outcomes		2	
2	Past Performance		2	
3	Capability of Training Organization		1	
4	Point		1	
5	<b>Total</b>			

**Maximum Score= 21**

**Minimum Score Required for Consideration = 12**

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**ATTACHMENT D**  
**GEORGIA MOUNTAINS WORKFORCE DEVELOPMENT BOARD**  
**GROWTH AND DEMAND OCCUPATIONS**

Although this list represents the area “Growth and Demand” occupations, it does not breakdown the “training” requirements of each occupation. This information can be found in the Directory of Occupational Titles. Many of the occupations listed below DO NOT REQUIRE significant training or may require only on-the-job training. Some occupations may require pre-hire letters. Due to the economy, some of these occupations require detailed proof of the demand in the area in which the customer lives or plans to commute. Please consult WSGM regarding training needs. Additional occupations will be added as determined by the Georgia Department of Labor (GDOL) Career Center managers and members of the Georgia Mountains Workforce Development Board (GMWDB). All training must allow the customer to become self-sufficient. The following occupations have been determined to be growth and demand occupations for the area as of January 25, 2018:

Accountant & Bookkeeper	Electrician	Medical Assistant
Administrative Assistant	Emergency Medical Technician	Medical Office Worker
Agriculture	English as a Second Language	Medical Records Technician
Automotive Mechanic	General Office Clerk	Medical Secretary
Automotive Structural Repairer	Hand Packers & Packagers	Motorcycle Repair Technician
Bill & Account Collector	Heating/AC Technician	Occupational Therapist
Brick Mason	Home Health Aide	Paralegal
CAD Operator	Hospitality	Pharmacy Technician
Carpenter	Hotel/Motel Management	Phlebotomist
Cashier/Sales Clerk	Horticulture	Physical Therapist
Child Development Assistant	Human Resources Management	Plumber, Pipefitter, & Steamfitter
Certified Nursing Assistant	Human Service Worker	Quality Assurance Technician
CNC Machine Operators	Industrial Machinery Mechanic	Radiological/X-Ray Technician
Computer Information Systems	Industrial Truck Operator	Registered Nurse (RN)
Construction Laborer	Laborer (Warehouse)	Respiratory Therapist
Correction Officer	Law Enforcement Officer	Robotics
Culinary	Legal Secretary	Special Education Teacher
Customer Service	Licensed Practical Nurse (LPN)	Surgical Technician
Data Entry Technician	Maintenance Mechanic	Surveyor
Delivery & Route Truck Driver	Management Trainee	Teacher
Dental Assistant & Dental	Manufacturing Machine Operator	Truck Driver, Heavy
Dental Laboratory Technician	Mechanic & Repairer Helper	Vocational Education Teacher &
Drafter	Medical & Laboratory Technician	Welder & Cutter

**ATTACHMENT E**  
**GEORGIA MOUNTAINS WORKFORCE DEVELOPMENT BOARD (GMWDB)**  
**PROCEDURES FOR THE EVALUATION and APPROVAL OF TRAINING PROGRAMS, ADDITIONAL PROGRAMS AND**  
**PRICE INCREASES**

Training provider program-specific applications will be accepted by the GMWDB at any time during the program year, evaluated and reviewed at quarterly WDB Board or committee meetings. All applications will be logged in on the Provider Application Log.

The GMWDB will adhere to all requirements of the State Policy and Procedures Manual Section 4.4 WIOA ELIGIBLE TRAINING PROVIDERS AND PROGRAMS LIST. Applications will be reviewed and evaluated as outlined below. WDB Board staff will conduct an on-site pre-operational review of the training institution, if the organization has not previously provided services in the WIOA area, prior to the enrollment into training of any WIOA-funded participant with that provider/program. Exceptions to this policy may be made for providers/programs that are not located within the WIOA area (see Out of State Providers) or providers reviewed by other local workforce areas. To avoid duplication and foster regional certification, GMWDB Board staff will ascertain if on-site reviews or evaluations have been conducted for out-of-area or out-of-state providers by contacting the local WDB and will document the results.

A committee will review applications and will submit recommendations to the GMWDB. All applicants will be notified in writing of the decision of the board within five working days of the date of the decision. After approval by the GMWDB, providers/programs that meet the requirements for initial eligibility will be input into GWROPP for State approval. Upon State approval, the program will be listed on the State ETPL.

If approved, a provider agreement may be executed between the GMWDB and the training institution. This agreement must be signed prior to the training enrollment of any WSGM participant. The performance of all training providers/programs with participants enrolled in WIOA will be monitored on a quarterly or more frequent (if needed), basis. Providers/programs may be removed from the approved provider list if monitoring reveals non-compliance with the Act. Providers will be forwarded quarterly performance reviews listing activity by program and participant. If performance falls below GMWDB goals, a provider/program probation letter will be forwarded notifying the provider that a hold will be placed on new enrollments until corrective actions occur to increase performance. Providers will be responsible for notifying the GMWDB staff regarding any extenuating circumstances regarding training, such as training disruptions due to change of instructor, facility, etc.

New Programs may be limited to enrollment of 10 WIOA participants (5 Adults/5 Youth). When a new program has reached the participant enrollment limit, the GMWDB will conduct a review of the provider's success in achieving GMWDB performance measures. The review will occur within 30-90 days after 50% of all participants have completed training. No additional participants will be referred to a new program until the review is completed.

Review and approval of additional training programs for approved providers and provider price increases will be reviewed on a quarterly basis and if approved, uploaded to the State for review, approval and publication on the state ETPL.

Currently approved ETPs proposing new programs without performance history should follow the guidelines for "Request for additional new programs (without performance history). Additional existing programs (with performance history) and price increases should be submitted using WSGM forms (see website for instructions and forms).

**Attachment F**  
**WSGM Training Provider**  
**Local Appeal Process**

It is against the law for WorkSource Georgia Mountains/Georgia Mountains Regional Commission (WSGM/GMRC) (as the recipient of Federal financial assistance) to discriminate on the following bases: Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I-financially assisted program or activity.

The following appeal procedures as required in Section 122 (b)(c)(c)(f) and (h) of WIOA have been established by WSGM/GMRC to provide recourse to providers who have been denied or terminated from eligibility status as a training provider. WSGM/GMRC will provide notice to the applicant or provider with the letter of denial or termination containing the reasons for denial or termination, as well as, the availability of the appeal process. Letters of denial of initial applications must be sent to the applicant within thirty (30) calendar days of the denial. An appeal by the provider for reconsideration of the termination must be made in writing thirty (30) calendar days from the day of receipt of the termination letter. Providers entering an appeal should be prepared to address the specific factors which prompted the denial or termination.

Providers may be removed from the ETPL by the Technical College System of Georgia Office of Workforce Development under the following conditions (as outlined in the State Policy and Procedures Guide.)

I. Supplying inaccurate information (If inaccurate information regarding a program is intentionally supplied to WSGM/GMRC or OWD.)

- A. If instances of intentionally supplying inaccurate information are reported to OWD, OWD will work in concert with WSGM to make the ineligibility determination.
- B. The ETP may be excused if the inaccurate information was supplied unintentionally, but the burden for proving the inaccurate information supplied was unintentional rests with the ETP.
- C. If warranted, a termination of eligibility will occur and will remain in effect for a minimum of two years.

II. Substantial violation

- A. If WSGM or OWD determines that an ETP has substantially violated any requirements under WIOA (e.g., civil rights or discrimination violations), including failure to provide timely and accurate information for the ETP report and for initial and continued eligibility, or other State or federal laws, regulations or requirements.
- B. If instances of substantial violation are reported to WFD or the ETP fails to provide timely and accurate information for the ETP report, OWD will work in concert with WSGM to make the determination of ineligibility.
- C. Repeated failures to submit information and a failure to cooperate with OWD will be considered in determining whether a "substantial violation" occurred. "Substantial violation" may be construed to be one or more egregious violations in a short period of time or numerous minor violations over a longer period of time.
- D. With regard to a violation of the submittal of timely and accurate information for the ETP as well as initial and continued eligibility, OWD will take into account exceptional circumstances beyond the ETP's control, such as natural disasters, unexpected personnel transitions, and unexpected technology related issues.
- E. A termination of eligibility will occur and will remain in effect for a minimum of two years for all substantial violations.

III. Removal for failure to meet performance standards

- A. If an ETP's program fails to meet minimum established State established performance levels set for continued eligibility, the program must be removed from the State ETPL.
- B. An ETP/ ETP program may reapply under the initial eligibility criteria if they can provide documentation of successful performance attainment with all students prior to the next program year. During that time the former ETP should take the opportunity to evaluate program design performance of non-WIOA students.
- C. Reapplication procedures may begin with WSGM no earlier than 90 days preceding the beginning of the one year exclusion period.
- D. If the WSGM program evaluation indicates that there have been successful performance outcomes of all students, the program may be added to the State ETPL no earlier than one year from the date of removal.

#### IV. Other Removals

A. If an ETP loses its license or accreditation of its accrediting body.

B. If an ETP's program is inactive (no activity within three program years), the ETP's program will be automatically removed and the provider (program) will have to re-apply using initial eligibility procedures.

If an organization has a complaint against WSGM, informal resolution should be attempted before filing a complaint. If there is no resolution of the complaint, the complainant(s) has the right to file a complaint by sending a written request for a hearing to:

WSGM Director  
PO Box 2278  
Gainesville, GA 30503

Procedures outlined in the WSGM Rights Statement for submitting a General Complaint should be followed when submitting a complaint.

**Attachment G**  
**Workforce Policies and Procedures Section 4.4.7**

**4.4.7 NOTICE OF DENIAL OF ELIGIBILITY OR REMOVAL**

TCSG OWD will be responsible for making ETP removal determinations for ETPs on the State ETPL under the following conditions:

- I. Supplying inaccurate information (If inaccurate information regarding a program is intentionally supplied to a LWDB or TCSG OWD.)
  - A. If instances of intentionally supplying inaccurate information are reported to TCSG OWD, TCSG OWD will work in concert with the LWDB to make the ineligibility determination.
  - B. The ETP may be excused if the inaccurate information was supplied unintentionally, but the burden for proving the inaccurate information supplied was unintentional rests with the ETP.
  - C. If warranted, a termination of eligibility will occur and will remain in effect for a minimum of two years.
- II. Substantial violation
  - A. If a LWDB or TCSG OWD determines that an ETP has substantially violated any requirements under WIOA (e.g., civil rights or discrimination violations), including failure to provide timely and accurate information for the ETP report and for initial and continued eligibility, or other State or federal laws, regulations or requirements.
  - B. If instances of substantial violation are reported to TCSG OWD or the ETP fails to provide timely and accurate information for the ETP report, TCSG OWD will work in concert with the LWDB to make the determination of ineligibility.
  - C. Repeated failures to submit information and a failure to cooperate with TCSG OWD will be considered in the State determining whether a “substantial violation” occurred. “Substantial violation” may be construed to be one or more egregious violations in a short period of time or numerous minor violations over a longer period of time.
  - D. With regard to a violation of the submittal of timely and accurate information for the ETP as well as initial and continued eligibility, TCSG OWD will take into account exceptional circumstances beyond the ETP’s control, such as natural disasters, unexpected personnel transitions, and unexpected technology related issues.
  - E. A termination of eligibility will occur and will remain in effect for a minimum of two years for all substantial violations.
- III. Removal for failure to meet performance standards
  - A. If an ETP’s program fails to meet minimum established State established performance levels set for continued eligibility, the program must be removed from the State ETPL.
  - B. An ETP/ETP program may reapply under the initial eligibility criteria if they can provide documentation of successful performance attainment with all students prior to the next program year. During that time the former ETP should take the opportunity to evaluate program design performance of non-WIOA students.
  - C. Reapplication procedures may begin with a LWDB no earlier than 90 days preceding the beginning of the one-year exclusion period.
  - D. If the LWDB program evaluation indicates that there have been successful performance outcomes of all students, the program may be added to the State ETPL no earlier than one year from the date of removal.
- IV. Other Removals
  - A. If an ETP loses its license or accreditation of its accrediting body.
  - B. If an ETP’s program is inactive (no activity within three program years), the ETP’s program will be automatically removed and the provider (program) will have to re-apply using initial eligibility procedures.
- V. Repayment

An ETP’s program whose eligibility is terminated under the above conditions shall be liable for repayment of funds received during the period of noncompliance.

If an ETP’s program is terminated or removed from the State ETPL, the LWDA should assure timely assistance to participants who may be affected. Depending on the nature of the violation, WIOA participants may be allowed to complete the programs, or may transfer and enroll in other training programs.

If it is deemed by a LWDB that training received by a WIOA customer did not adhere to program information as marketed by the ETP, consequences levied upon the ETP may include: (1) additional training to the aggrieved customer at no cost; and/or (2) a refund to the fiscal agent of amounts paid; and/or (3) debarment from the State ETPL.

**4.4.9 CONTINUED ELIGIBILITY – BIENNIAL REVIEW**

- I. All ETPs (excluding RAs) are subject to review and renewal of eligibility at least every two years. WFD will review the performance of providers to ensure they are meeting minimum levels of performance. Biennial review will also include verification of the registration status of RA programs. The following factors will be utilized to determine continued eligibility:
  - A. The performance of training providers on WIOA standards (See section on Required Provider Outcomes). The performance should be disaggregated by the LWDA being served.
  - B. The biennial review may include other factors such as:
    - 1. The degree to which training programs are in-demand industries sectors and occupations
    - 2. State licensure requirements;
    - 3. Use of industry recognized certificates and credentials;
    - 4. Whether the programs lead to post-secondary credentials;
    - 5. The ability of the ETP to provide training services that are physically and programmatically accessible for individuals who are employed and individuals with barrier to employment, including individuals with disabilities;
    - 6. The ability of the ETP to partner with employers and provide job placement services;
    - 7. The dropout rate of the ETP; and
    - 8. The student loan default rate of the ETP.

ETPs will be responsible for collection of performance data, which is not available through the state data management system, and transmittal to TCSG OWD. Actual performance measures for biennial review will be issued in 2017 after state performance negotiations.

**The following performance data should be collected by ETPs for WIOA performance measures (to be submitted 2018). The actual minimum performance levels will be determined based on federal standards. WIOA requires that performance data include the outcomes of ETP programs for students in general for employment and earnings measures.**

<u>All Students Performance Data</u>	<u>Minimum Performance Level Implementation Year 2018</u>	<u>Definition</u>
Unsubsidized employment second quarter after exit	TBD	The percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program
Unsubsidized employment fourth quarter after exit	TBD	The percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program
Median Earnings	TBD	The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program

<u>All WIOA Participants Performance Data</u>	<u>Minimum Performance Level</u>	<u>Definition</u>
Unsubsidized employment second quarter after exit	TBD	The percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program
Unsubsidized employment fourth quarter after exit	TBD	The percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the

		program
Median Earnings	TBD	The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program
Attainment of Post- Secondary Credential	TBD	The percentage of program participants who obtain a recognized post-secondary credential or a secondary school diploma or its recognized equivalent during participation in or within one year after exit from the program
Program Completion Rate	TBD	Program Completion Rate for all participants in a training program
Data on recognized post-secondary credentials received by program participants	TBD	Recognized post-secondary credentials received by program participants
Data on cost of attendance, including tuition and fees	TBD	Cost of Attendance, including tuition and fees

## II. ETPL Appeal Procedure

### A. Introduction

These procedures are designed to provide guidelines for filing and resolving Appeals made by an ETP or a prospective ETP. In the event that an ETP seeks to file an Appeal, it must do with the entity whose action the ETP disputes. For example, in the event that an ETP is removed from a Local ETPL, the ETP must file an Appeal with the LWDA in accordance with LWDA's policies. Once an ETP has filed an Appeal with a LWDA, received a written resolution, and is dissatisfied with the LWDA's resolution, the ETP may file second level appeal with the State.

Conversely, in the event that an entity is denied designation on the State ETPL, or if the ETP or is removed from the State ETPL, the ETP may file an Appeal directly with WFD.

### B. Local Appeal Procedures

TEGL WIOA NO. 41-14(11)(b) requires LWDA's to establish an Appeal procedure for ETPs to dispute a denial of eligibility from the Local ETPL. Such procedures must allow for an attempt to resolve the dispute informally, provide an opportunity for a hearing, and require written resolution within 60 days of the filing date of the Appeal. They must also notify the ETP of its right to file a Second Level Appeal with the State.

### C. WFD Procedures for Second Level Appeals of LWDA Resolutions

An ETP may file a second level appeal of a LWDA resolution directly with TCSG OWD so long as the following criteria are satisfied:

1. The ETP has completed TCSG OWD's ETPL Appeal form;
2. The ETP attaches the LWDA's Written Resolution and any other pertinent information to the TCSG OWD's Appeal form; and
3. The Appeal is filed with TCSG OWD no later than 30 days from the date the LWDA issued its written resolution.

The ETP shall have the option of requesting a hearing in the event that the Second Level Appeal cannot be resolved informally. In the event that a hearing is requested in writing, it will be conducted in accordance with the procedure set forth below. The WFD's ruling on all Second Level Appeals shall be final.

### D. WFD Procedures for Appeals of denial or removal of an ETP from the State ETPL

An ETP may file an appeal directly with the WFD in the event that the ETP is denied eligibility or is removed from the State ETPL. In order to Appeal, the ETP must satisfy the following criteria:

1. The ETP must complete TCSG OWD's ETPL Appeal form;
2. The ETP must include all other pertinent information; and
3. The ETP must file the Appeal no later than 30 days from the date that the ETP is denied eligibility or is terminated from the State ETPL.

The ETP shall have the option of requesting a hearing in the event that the Appeal cannot be resolved informally. In the event that a hearing is requested in writing, it will be conducted in accordance with the procedure set forth below. The TCSG OWD's ruling on all Appeals shall be final.

E. Hearing Procedure for State and Local ETPL Determination Appeal

As required by WIOA, every ETP shall have the opportunity for a hearing for any Appeal that is filed. A request for a hearing must be made in writing by the ETP, preferably at the time the Appeal is initially filed. However, an ETP may file a written request for a hearing within sixty (60) days of the date the Appeal was filed. If a request for a hearing is made, then the hearing shall be held as soon as reasonably possible to enable a resolution of the Appeal no later than sixty (60) days from the day the Appeal is filed. The LWDA and TCSG OWD shall use the following procedures if a hearing is requested:

1. Upon receiving written notice of the ETP's request for a hearing, the LWDA or WFD shall respond in writing acknowledging the ETP's request and notifying the ETP of the date of the hearing. Such acknowledgment and notice shall be transmitted to the ETP within ten (10) business days of receipt of the ETP's request. The notice shall include, at a minimum:
  - a. The date of issuance;
  - b. The name of the ETP;
  - c. The name of the Respondent against whom the Appeal has been filed (TCSG OWD or the LWDA);
  - d. A statement reiterating that the ETP and Respondent may be represented by legal counsel at the hearing;
  - e. The date, time, and place of the hearing, including the name of the hearing officer serving as an impartial party;
  - f. A statement of the alleged violations of WIOA, (This may include clarification of the original Appeal, but must accurately reflect the content of the submitted documentation of the ETP);
  - g. A copy of any policies or procedures for the hearing or identification of where such policies may be found; and
  - h. The name, address, and telephone number of the contact person issuing the notice.
2. The hearing shall be conducted in compliance with federal regulations. At a minimum, the hearing must include:
  - a. An impartial hearing officer selected by the LWDA or TCSG OWD;
  - b. An opportunity for both the ETP and LWDA/TCSG OWD to present an opening statement, witnesses and evidence;
  - c. An opportunity for each party to cross-examine the other party's witnesses; and,
  - d. A record of the hearing which the LWDA or TCSG OWD shall create and retain.
3. The hearing officer, considering the evidence presented by the ETP and Respondent, shall issue a written decision which shall serve as the LWDA's or TCSG OWD's official resolution of the Appeal. The decision shall include the following information, at a minimum:
  - a. The date, time, and place of hearing;
  - b. A recitation of the issues alleged in the Appeal;
  - c. A summary of any evidence and witnesses presented by the ETP and the respondent;
  - d. An analysis of the issues as they relate to the facts; and
  - e. A decision addressing each issue alleged in the Appeal.